

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
WES&A HOLDINGS, LLC, and WASTE
EXPRESS, INC.,

Plaintiffs,

-against-

NICHOLAS J. MALINO, ROBERT T. ROEVER,
and CAPITOLINE ADVISORY GROUP INC.,
Defendants.
-----X

USDC SDNY
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DATE FILED: 9/25/13

10 CIVIL 3865 (KNF)

JUDGMENT

Whereas pursuant to 28 U.S.C. § 636(c), the parties having consented to a non-jury trial of this action, presided over by a United States Magistrate Judge; the trial was conducted on November 19, 20 and December 14, 2012, and the matter having come before the Honorable Kevin Nathaniel Fox, United States Magistrate Judge, and the Court, on September 20, 2013, having rendered its Opinion and Order finding that the plaintiffs failed to prove, by a preponderance of the evidence, that they are entitled to the relief they seek in this action, and directing the Clerk of Court to enter judgment for the defendants, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated September 20, 2013, the Court finds that the plaintiffs failed to prove, by a preponderance of the evidence, that they are entitled to the relief they seek in this action; accordingly, judgment is entered for the defendants; accordingly, the case is closed.

Dated: New York, New York
September 25, 2013

RUBY J. KRAJICK

Clerk of Court

BY:

R _____
Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**